

FW: Letter from WV scientists re: chemical spill and public access to EPA/CDC expertise  
To: CMS.OEX@epamail.epa.gov

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**From:** [Ex. 6 - Personal Privacy]@ucsusa.org]  
**Sent:** Friday, January 24, 2014 10:59 AM  
**To:** txf2@cdc.gov; Mccarthy, Gina  
**Cc:** R3 RA; teamdpancd@cdc.gov; Grifo, Francesca; Heron, Donna; hwj1@cdc.gov; Johnson, Alisha; Bsr0@cdc.gov; Reynolds, Thomas; Paulson, Glenn  
**Subject:** Letter from WV scientists re: chemical spill and public access to EPA/CDC expertise

Dear Dr. Frieden and Dr. Paulson:

Please see attached a letter from two dozen West Virginia scientists expressing concerns about continuing problems with access to agency experts, particularly during the state’s current water crisis but also more generally. Soon, the letter will be live on the website of the Union of Concerned Scientists, along with a press release (reproduced below) and a blog post. The relevant URLs are as follows:

The letter: [www.ucsusa.org/assets/documents/center-for-science-and-democracy/letter-to-epa-cdc-from-wv-scientists.pdf](http://www.ucsusa.org/assets/documents/center-for-science-and-democracy/letter-to-epa-cdc-from-wv-scientists.pdf)

My blog post: <http://blog.ucsusa.org/west-virginia-scientists-to-epa-cdc-allow-your-scientists-to-speak-389>

Press release: [http://www.ucsusa.org/news/press\\_release/west-virginia-scientists-call-epa-cdc-media-chemical-spill-0391.html](http://www.ucsusa.org/news/press_release/west-virginia-scientists-call-epa-cdc-media-chemical-spill-0391.html)

We would welcome a response from each of your agencies (which we would share with the scientists and make public), as well as the opportunity to discuss these issues at greater length with those who are responsible for public affairs and scientific integrity in a conversation to better understand your concerns.

In addition, we are aware that the Society of Environmental Journalists and Society of Professional Journalists have sent a similar letter, and that in a response CDC Public Affairs Director Barbara Reynolds expressed a commitment to examining how information and expertise could be made available to the public in a more timely manner. We would also welcome the opportunity to have input into that examination.

Please let me know if you have any questions; if I don’t hear back I’ll follow up with you at a later date.

Best Regards,

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Center for Science and Democracy

Union of Concerned Scientists

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## WEST VIRGINIA SCIENTISTS CALL ON FEDERAL SCIENCE AGENCIES TO STOP BLOCKING INFORMATION REQUESTS ON CHEMICAL SPILL

WASHINGTON (January 24, 2014) - Twenty-four West Virginia scientists sent [a public letter](#) today to the heads of the Environmental Protection Agency (EPA) and Centers for Disease Control and Prevention (CDC), calling on the agencies to allow scientists to speak freely regarding the recent Elk River chemical spill and other public concerns. Since the spill, federal and state agencies have released sometimes [confusing and contradictory recommendations](#) to the public regarding water safety.

“Your agencies have repeatedly failed to adequately respond to questions from the public and the press,” the letter says. “We deserve to be told what is known--and what is not known-- about the risks the chemical poses to human health as the disaster unfolds. If the government had been more forthcoming about what is not known about the leaked chemicals, citizens and local officials would have been able to make better choices about the actions needed to protect their families and communities.”

They conclude by calling on the administrators to “update your policies and practices to allow unfettered access to the scientists whose expertise can help prevent illness and injury.”

The Center for Science and Democracy at the Union of Concerned Scientists, which organized the letter, tracks scientific integrity and media policies at federal agencies. Despite public commitments to transparency and internal policies that generally affirm scientists’ right to speak freely to the press, scientists at both agencies are often discouraged or prevented from speaking openly and publicly, especially on high visibility issues. At EPA, for example, reporters are often asked to submit questions to scientists in advance, and public affairs officials approve answers before they are released.

Michael Halpern, a program manager for the center, has written [a blog post](#) highlighting the importance of putting well-intentioned policies into action. “In times of emergencies, especially when the public health and safety may be at risk it is essential that we let scientists speak,” he writes. “In situations like these, accurate and timely information needs to get to the public and allowing scientists to speak to the media without prior clearance from public affairs or other officials can allow for more comprehensive information to reach those who need it. Public affairs officers can play a coordinating role and can be informed of scientists’ communication to the media and public, but they should not act as gatekeepers that compromise our ability to understand the threats that citizens face.”

Earlier this week, the Society of Environmental Journalists also [sent a letter](#) to the CDC and EPA calling for greater access to scientists and officials. The CDC’s public affairs directed [responded](#) and committed to examining their processes to better respond to requests for information.

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The Union of Concerned Scientists puts rigorous, independent science to work to solve our planet's most pressing problems. Joining with citizens across the country, we combine technical analysis and effective advocacy to create innovative, practical solutions for a healthy, safe, and sustainable future. For more information, go to [www.ucsusa.org](http://www.ucsusa.org).

January 24, 2014

Dr. Thomas Frieden  
Director  
Centers for Disease Control and Prevention  
1600 Clifton Road  
Atlanta, GA 30333

The Honorable Gina McCarthy  
Administrator  
U.S. Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Dear Director Frieden and Administrator McCarthy:

As West Virginia scientists and health professionals, we are writing to urge you to remove barriers that prevent agency scientists from sharing their expertise with the public.

On January 9, an unknown amount of 4-methylcyclohexanemethanol leaked from tanks at a Freedom Industries facility into the Elk River, just upstream from a treatment plant that provides water for 300,000 West Virginians. Since then, our communities have suffered with inadequate, and sometimes conflicting, information about both long term and short term risks of exposure to the chemical.<sup>1</sup>

Part of the problem is that too little is known about this (and many other) chemicals that are used in industrial processes. Tens of thousands of chemicals in use today have never been evaluated by the EPA or any other government agency.<sup>2</sup>

That said, your agencies have repeatedly failed to adequately respond to questions from the public and the press.<sup>3</sup> We deserve to be told what is known--and what is not known-- about the risks the chemical poses to human health as the disaster unfolds. If the government had been more forthcoming about what is not known about the leaked chemicals, citizens and local officials would have been able to make better choices about the actions needed to protect their families and communities. Some may have chosen to leave the area, others to make longer-term arrangements for alternative sources of water. Only an informed citizenry can make informed choices.

Unfortunately, government scientists have been notably absent from the public discussion. Both the Environmental Protection Agency and the Centers for Disease Control and Prevention refused repeated interview requests for nearly a week.<sup>4</sup> Further, CDC officials consistently failed to explain how the agency had arrived at a one-part-per-million threshold for the water to be considered safe.<sup>5</sup> This is especially troubling in light of recent commitments by both of your agencies to transparency and accountability through developing and fully implementing policies that support scientific integrity and openness. Lack of access to government scientists can only lead to less trust in your agencies and more harm to the citizens of West Virginia.

Government scientists should be able to share their expertise with the public and the press without interference from other agency staff. While public affairs officers can play a coordinating role and should

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<sup>1</sup> Ward Jr., Ken. "Use of water 'your decision,' Tomblin says." *Charleston Gazette*, January 20, 2014.

<sup>2</sup> "What is TSCA?" Safer Chemicals Healthy Families. Available at [www.saferchemicals.org/resources/tsca.html](http://www.saferchemicals.org/resources/tsca.html). Accessed January 21, 2014.

<sup>3</sup> Ward Jr., Ken. "CDC: W.Va. water crisis 'a dynamic and evolving event'." *Charleston Gazette*, January 16, 2014.

<sup>4</sup> Ibid.

<sup>5</sup> Ward, Jr., Ken. "Experts: Not enough data to judge MCHM dangers." *Charleston Gazette*, January 17, 2014.

be kept aware of scientists' public statements, they should not act as gatekeepers that compromise our ability to understand the potential risks we are facing. This is especially true during emergency situations, when better access to scientific information can help prevent exposure and injury.

As scientists ourselves, we are particularly aware that our colleagues who work for the federal government can be a tremendous resource--but not if they are restricted from communicating with the public. We urge you to update your policies and practices to allow unfettered access to the scientists whose expertise can help prevent illness and injury. Our communities and our fellow citizens deserve no less.

Sincerely,

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Llelwyn Grant, CDC New Media Branch Chief  
Francesca Grifo, Ph.D., EPA Scientific Integrity Chief  
Donna Heron, EPA Acting Region 3 PIO  
Harold Jaffe, M.D., CDC Associate Director for Science  
Alisha Johnson, EPA Press Secretary  
Ron Otten, Ph.D., Director of the CDC Office of Scientific Integrity  
Barbara Reynolds, Ph.D., CDC Division of Public Affairs Director  
Tom Reynolds, EPA Associate Administrator for External Affairs and Environmental Education  
Glenn Paulson, Ph.D., EPA Science Advisor